

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA
HARRISBURG DIVISION

Emanuel Thomas Newman,
Plaintiff,

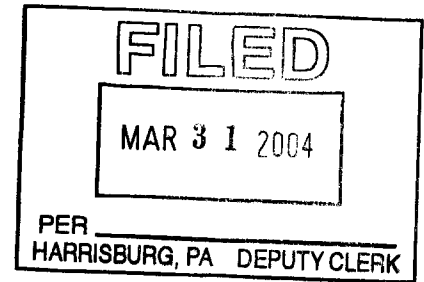
-Vs-

Louis Caprio and
James White,
Defendants,

Case no. 1:01-CV-0677

(Judge Conner)

PLAINTIFF'S MOTION IN LIMINE



Now Comes, Emanuel Thomas Newman, plaintiff pro-se, and respectfully moves this Honorable Court to issue an Order precluding the defendant's from presenting specific evidence to the jury pursuant to the Federal Ruled of Evidence., Rule - 404(b).

In support thereof plaintiff states the following:

Plaintiff would state to the court that six (6) of his twenty nine(29) witnesses are incarcerated inmates in Federal Institution across America.

Furthermore, like this plaintiff, they have all been convicted of violations of the law. There specific crimes have absolutely no bearing on the civil case at bar.

However, the past histories of plaintiff, and his witnesses related to the criminal histories can and will cause undue prejudice in the eyes of the jury.

Therefore, plaintiff would request that said past criminal histories be excluded.

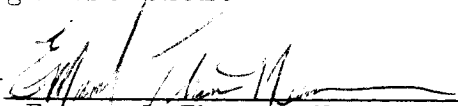
Also, numerous of plaintiff's witnesses are of the muslim faith, and or members of the nation of Islam which is seen by most main-stream Americans as a racist organization. Therefore, plaintiff would request that any evidence or questions related to ones religion be excluded, because of the undue prejudice that it might cause in the eyes of the jury. Since September 11, 2001 American have taken a disliking to muslims, the Nation of Islam, and other such organizations.

None of the circumstances related to the incidents at issue in this case have anything to do with religion or religious organizations on the streets of America or in prisons.

Pursuant to the Federal Rules of Evidence., Rule 404 (b) which provides:

[e]vidence of other crimes, wrongs, or acts is not admissible to prove the character of a person in order to show action and conformity therewith. It may, however, be admissible for other purposes, such as proof of motive, opportunity, intent, preparation, plan knowledge, identity, or absence of mistake or accident, provided that upon request by the accused the prosecution in a criminal case should provide reasonable notice in advance of trial...

Therefore, because one (1) this is a civil matter and not a criminal matter; and two (2) because the witnesses are not the defendant's against whom this matter is brought any use of the past criminal histories which have no bearing on this case or the religious organization to which they belong would be done for no other reason than to prejudice the jury against them.

Respectfully submitted by 
Emanuel Thomas Newman
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7/23/04

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

Emanuel Thomas Newman,

Vs.

Ronald L. Jury, et al,

Civil no. 1:CV-01-0677

CERTIFICATE OF SERVICE

I, Emanuel Thomas Newman, pursuant to title 28 U.S.C. § 1746, do hereby upon my oath state that I have served all parties to this civil action via the United States Mail Service, of copies of the attached documents.

This 23 day of MARCH 2004.

By, Emanuel Thomas Newman
Emanuel Thomas Newman

Copies to: U.S. Attorney
315 Federal Building
240 West Third Street
Williamsport, PA 17702

U.S. DISTRICT COURT
CLERK OF THE COURT
227 BALDWIN STREET
HARRISBURG, PA 17101)*
17108